

Friday, December 22, 1995

Daily Digest

HIGHLIGHTS

Senate agreed to further continuing appropriations.

Senate

Chamber Action

Routine Proceedings, pages S19145–S19291

Measures Introduced: Ten bills and five resolutions were introduced, as follows: S. 1501–1510, S.J. Res. 45, and S. Res. 202–205. **Page S19250**

Measures Reported: Reports were made as follows: S. 509, to authorize the Secretary of the Interior to enter into an appropriate form of agreement with, the town of Grand Lake, Colorado, authorizing the town to maintain permanently a cemetery in the Rocky Mountain National Park. (S. Rept. No. 104–198)

H.R. 562, to modify the boundaries of Walnut Canyon National Monument in the State of Arizona. (S. Rept. No. 104–199)

H.R. 1296, to provide for the Administration of certain Presidio properties at minimal cost to the Federal taxpayer, with an amendment in the nature of a substitute.

S. 605, to establish a uniform and more efficient Federal process for protecting property owners' rights guaranteed by the fifth amendment, with an amendment in the nature of a substitute. **Pages S19249–50**

Measures Passed:

Further Continuing Appropriations: Senate passed H.J. Res. 134, making further continuing appropriations for the fiscal year 1996, after agreeing to the following amendment proposed thereto:

Pages S19197–S19205

Lott (for Hatfield) Amendment No. 3110, in the nature of a substitute. **Pages S19201–05**

Further Continuing Appropriations: Senate passed H.J. Res. 136, making further continuing appropriations for the fiscal year 1996, clearing the measure for the President. **Page S19232**

Dayton Health Care Plan: Committee on Finance was discharged from further consideration of H.R. 1878, to extend for 2 years the period of applicability of enrollment mix requirement to certain

health maintenance organizations providing services under Dayton Health Care Plan, and the bill was then passed, clearing the measure for the President.

Page S19273

Pension Income State Taxation: Senate passed H.R. 394, to amend title 4 of the United States Code to limit State taxation of certain pension income, clearing the bill for the President. **Page S19273**

Mandatory Victim Restitution: Senate passed H.R. 665, to control crime by mandatory victim restitution, after agreeing to a committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S19273–82**

Warner (for Hatch/Biden) Amendment No. 3112, in the nature of a substitute. **Page S19277**

National Marine Fisheries Service Laboratory: Committee on Commerce, Science, and Transportation was discharged from further consideration of H.R. 1358, to require the Secretary of Commerce to convey to the Commonwealth of Massachusetts the National Marine Fisheries Service laboratory located on Emerson Avenue in Gloucester, Massachusetts, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Pages S19282–84

Warner (for Pressler/Kerry/Stevens) Amendment No. 3113, in the nature of a substitute.

Pages S19282–83

Parole Commission: Senate passed S. 1507, to provide for the extension of the Parole Commission to oversee cases of prisoners sentenced under the prior law, and to reduce the size of the Parole Commission. **Page S19284**

Legal Counsel Representation: Senate agreed to S. Res. 203, to authorize testimony by Senate employee and representation by Senate Legal Counsel. **Page S19284**

Legal Counsel Representation: Senate agreed to S. Res. 204, to authorize representation by Senate Legal Counsel. **Pages S19284–85**

Legal Counsel Representation: Senate agreed to S. Res. 205, to authorize testimony by Senate employee and representation by Senate Legal Counsel.

Pages S19284–85

Smithsonian Institution Sesquicentennial Commemorative Coin Act: Senate passed H.R. 2627, to require the Secretary of the Treasury to mint coins in commemoration of the sesquicentennial of the founding of the Smithsonian Institution, clearing the measure for the President.

Page S19285

Use of Capitol Rotunda: Committee on Rules and Administration was discharged from further consideration of H. Con. Res. 106, permitting the use of the rotunda of the Capitol for a ceremony to commemorate the days of remembrance of victims of the Holocaust, and the resolution was then agreed to.

Page S19285

Essential Federal Employees: Senate passed S. 1508, to assure that all federal employees work and are paid.

Pages S19233–34

Impact Aid Payments: Senate passed S. 1509, to amend the Impact Aid program to provide for a hold-harmless with respect to amounts for payments relating to the Federal acquisition of real property, to permit certain local educational agencies to apply for increased payments for fiscal year 1994 under the Impact Aid program, and to amend the Impact Aid program to make a technical correction with respect to maximum payments for certain heavily impacted local educational agencies.

Pages S19285–86

Veto—Securities Litigation Reform: By 68 yeas to 30 nays, 1 responding present (Vote No. 612), two-thirds of the Senators voting having voted in the affirmative, H.R. 1058, to amend the Federal securities laws to curb certain abusive practices in private securities litigation, upon reconsideration, was passed, the objections of the President notwithstanding.

Pages S19146–54, S19180

Welfare Reform—Conference Report: By 52 yeas to 47 nays (Vote No. 613), Senate agreed to the conference report on H.R. 4, to enhance support and work opportunities for families with children, reduce welfare dependence, and control welfare spending, clearing the measure for the President.

Pages S19154–81

START II Treaty: Senate began consideration of the Treaty with the Russian Federation on Further Reduction and Limitation of Strategic Offensive Arms (The START II Treaty) (Treaty Doc. No. 103–1), the treaty having passed through its various parliamentary stages, up to and including the presentation of the resolution of ratification, agreeing

with six conditions and seven declarations proposed thereto, and agreeing to the following amendment:

Pages S19182, S19188–95, S19206–23

Lugar/Pell Amendment No. 3111, to add a condition relating to the obligations of the United States while the START II Treaty is pending before the Russian Duma, to add a declaration regarding maintenance of United States forces at levels permitted by the START Treaty pending Russian ratification of the START II Treaty, to amend the United States declaration regarding substantial further reductions, to add declarations regarding compliance by the Russian Federation with its obligation under the START II Treaty, to add a declaration regarding the submission to the Senate of future agreements or understandings relating to obligations under the START II Treaty as treaties, to add a declaration of the Senate regarding defensive forms of nuclear deterrence, to express the sense of the Senate that the President submit a report to the Congress on the implications of licensing foreign excess ballistic missiles, to add a declaration containing United States commitments to ensure the safety, reliability, and performance of its nuclear forces, and to add a condition on Presidential certification and require a report on National Technical Means.

Pages S19221–23

A unanimous-consent time agreement was reached providing for further consideration of the treaty, with a vote on the resolution of ratification to occur thereon.

Page S19221

Labor/HHS/Education Appropriations, 1996: A unanimous-consent agreement was reached providing for the scheduled cloture vote on a motion to proceed to the consideration of H.R. 2127, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1996, to occur at a time to be determined, but not before Wednesday, January 3, 1996.

Page S19286

Appointments:

National Skill Standards Board: The Chair, on behalf of the President pro tempore, pursuant to P.L. 103–227, appointed the following individual to the National Skill Standards Board: Upon recommendation of the Majority Leader: Raymond J. Robertson, of Virginia, representing organized labor.

Page S19286

U.S. Commission on Civil Rights: The Chair, on behalf of the President pro tempore and upon the recommendation of the Majority Leader, pursuant to Public Law 98–183, as amended by Public Law 101–180, reappointed Russell G. Redenbaugh, of Pennsylvania, to the United States Commission on Civil Rights.

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Nominations Confirmed: Senate confirmed the following nominations:

Juan Abran DeHerrera, of Wyoming, to be United States Marshal for the District of Wyoming for the term of four years.

Albert James Dwoskin, of Virginia, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 1995.

Kathleen A. McGinty, of Pennsylvania, to be a Member of the Council on Environmental Quality.

Hughey Walker, of South Carolina, to be a Member of the National Council on Disability for a term expiring September 17, 1996.

Charles William Burton, of Texas, to be a Member of the Board of Directors of the United States Enrichment Corporation for the remainder of the term expiring February 24, 1996.

Tommy Edward Jewell III, of New Mexico, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 1995.

Tommy Edward Jewell III, of New Mexico, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 1998.

Dwight P. Robinson, of Michigan, to be Deputy Secretary of Housing and Urban Development.

Todd J. Campbell, of Tennessee, to be United States District Judge for the Middle District of Tennessee.

George D. Milidrag, of Michigan, to be a Member of the Advisory Board of the Saint Lawrence Seaway Development Corporation.

R. Guy Cole, Jr., of Ohio, to be United States Circuit Judge for the Sixth Circuit.

Barry Ted Moskowitz, of California, to be United States District Judge for the Southern District of California.

Stephen M. Orlofsky, of New Jersey, to be United States District Judge for the District of New Jersey.

Ernest W. DuBester, of New Jersey, to be a Member of the National Mediation Board for a term expiring July 1, 1998.

John R. Tunheim, of Minnesota, to be United States District Judge for the District of Minnesota.

Darcy E. Bradbury, of New York, to be an Assistant Secretary of the Treasury.

Joseph H. Neely, of Mississippi, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for a term of six years.

Greta Joy Dicus, of Arkansas, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 1998.

Eluid Levi Martinez, of New Mexico, to be Commissioner of Reclamation.

Ernest J. Moniz, of Massachusetts, to be an Associate Director of the Office of Science and Technology Policy.

Donald S. Wasserman, of the District of Columbia, to be a Member of the Federal Labor Relations Authority for a term of five years expiring July 1, 2000.

Thomas R. Bloom, of Virginia, to be Inspector General, Department of Education.

Elisabeth Griffith, of Virginia, to be a Member of the Board of Trustees of the James Madison Memorial Foundation for the remainder of the term expiring September 27, 1996.

Marc R. Pacheco, of Massachusetts, to be a Member of the Board of Trustees of the James Madison Memorial Fellowship Foundation for a term expiring October 3, 2000.

Louise L. Stevenson, of Pennsylvania, to be a Member of the Board of Trustees of the James Madison Memorial Fellowship Foundation for a term expiring November 17, 1999.

Rear Admiral John Carter Albright, National Oceanic and Atmospheric Administration, to be a Member of the Mississippi River Commission.

John David Carlin, of Kansas, to be an Assistant Secretary of Agriculture.

John A. Knubel, of Maryland, to be Chief Financial Officer, Department of Housing and Urban Development.

Phillip A. Singerman, of Pennsylvania, to be an Assistant Secretary of Commerce.

David C. Williams, of Illinois, to be Inspector General, Social Security Administration.

Mel Carnahan, of Missouri, to be a Member of the Board of Trustees of the Harry S Truman Scholarship Foundation for a term expiring December 10, 1999.

Joseph Francis Baca, of New Mexico, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 1998.

Bruce D. Black, of New Mexico, to be United States District Judge for the District of New Mexico.

D.W. Bransom, Jr., of Texas, to be United States Marshal for the Northern District of Texas for the term of four years.

David Allen Brock, of New Hampshire, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 1997.

Chester A. Crocker, of the District of Columbia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 1999.

Hal C. DeCell III, of Mississippi, to be an Assistant Secretary of Housing and Urban Development.

Susan J. Dlott, of Ohio, to be United States District Judge for the Southern District of Ohio.

Theodore M. Hesburgh, of Indiana, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 1999.

Max M. Kampelman, of the District of Columbia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 1999.

Hugh Lawson, of Georgia, to be United States District Judge for the Middle District of Georgia.

Frank Policaro, Jr., of Pennsylvania, to be United States Marshal for the Western District of Pennsylvania for the term of four years.

Eli J. Segal, of Massachusetts, to be a Member of the Board of Directors of the Corporation for National and Community Service for the remainder of the term expiring February 8, 1999.

Kim McLane Wardlaw, of California, to be United States District Judge for the Central District of California.

E. Richard Webber, of Missouri, to be United States District Judge for the Eastern District of Missouri.

Kevin G. Chavers, of Pennsylvania, to be President, Government National Mortgage Association.

Nancy E. McFadden, of California, to be General Counsel of the Department of Transportation.

Seymour Martin Lipset, of Virginia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 1999.

Patricia J. Beneke, of Iowa, to be an Assistant Secretary of the Interior.

Gail Clements McDonald, of Maryland, to be Administrator of the Saint Lawrence Seaway Development Corporation for the remainder of the term expiring March 20, 1998.

Robert Nelson Baldwin, of Virginia, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 1998.

Jeffrey R. Shafer, of New Jersey, to be an Under Secretary of the Treasury.

Melissa T. Skolfield, of Louisiana, to be an Assistant Secretary of Health and Human Services.

David A. Lipton, of Massachusetts, to be a Deputy Under Secretary of the Treasury.

Florence K. Murray, of Rhode Island, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 1998.

Jane Bobbitt, of West Virginia, to be an Assistant Secretary of Commerce.

James Charles Riley, of Virginia, to be a Member of the Federal Mine Safety and Health Review Commission for a term of six years expiring August 30, 2000.

Susan Robinson King, of the District of Columbia, to be an Assistant Secretary of Labor.

Michael V. Dunn, of Iowa, to be an Assistant Secretary of Agriculture.

Michael V. Dunn, of Iowa, to be a Member of the Board of Directors of the Commodity Credit Corporation.

Patricia A. Gaughan, of Ohio, to be United States District Judge for the Northern District of Ohio.

Joan A. Lenard, of Florida, to be United States District Judge for the Southern District of Florida.

Walter Anderson, of New York, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2000.

Joseph H. Gale, of Virginia, to be a Judge of the United States Tax Court for a term expiring fifteen years after he takes office.

P. Michael Duffy, of South Carolina, to be United States District Judge for the District of South Carolina.

Ralph R. Johnson, of Virginia, to be Ambassador to the Slovak Republic.

Barbara S. Jones, of New York, to be United States District Judge for the Southern District of New York.

Joshua Gotbaum, of New York, to be an Assistant Secretary of the Treasury.

Anne H. Lewis, of Maryland, to be an Assistant Secretary of Labor.

Bernice B. Donald, of Tennessee, to be United States District Judge for the Western District of Tennessee.

C. Lynwood Smith, of Alabama, to be United States District Judge for the Northern District of Alabama.

Routine lists in the Coast Guard, National Oceanic and Atmospheric Administration, Public Health Service.

Pages S19286–89

Nominations Received: Senate received the following nominations:

James A. Beaty, Jr., of North Carolina, to be United States Circuit Judge for the Fourth Circuit.

J. Rich Leonard, of North Carolina, to be United States Circuit Judge for the Fourth Circuit.

Peter Benjamin Edelman, of the District of Columbia, to be an Assistant Secretary of Health and Human Services.

Alvin L. Alm, of Virginia, to be an Assistant Secretary of Energy (Environmental Management).

Edmund A. Sargus, Jr., of Ohio, to be United States District Judge for the Southern District of Ohio.

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Messages From the House: Page S19249
 Measures Placed on Calendar: Page S19249
 Executive Reports of Committees: Page S19250
 Statements on Introduced Bills: Pages S19250–60
 Additional Cosponsors: Page S19260
 Amendments Submitted: Pages S19261–69
 Authority for Committees: Page S19270
 Additional Statements: Pages S19270–73
 Notice of Proposed Rulemaking: Pages S19290–91
 Record Votes: Two record votes were taken today. (Total–613) Pages S19180–81
 Recess: Senate convened at 10:15 a.m., and recessed at 6:54 p.m., until 11 a.m., on Saturday, December 23, 1995, for a pro forma session.

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Foreign Relations: Committee ordered favorably reported the nominations of Eric James Boswell, of California, to be Assistant Secretary of State for Diplomatic Security, Anthony Cecil Eden Quainton, of the District of Columbia, to be Director General of the Foreign Service, Rita D. Hayes, of Maryland, for the rank of Ambassador during her tenure of service as Chief Textile Negotiator, Representatives Roth and Lantos, each to be a U.S. Representative, and Joseph Lane Kirkland, of the District of Columbia, and Jeanne Moutoussamy-Ashe, of New York, each to be a U.S. Alternate Representative, all to the 50th Session of the General Assembly of the United Nations.

House of Representatives

Chamber Action

Bills Introduced: 11 public bills, H.R. 2829–2839; and 6 resolutions, H.J. Res. 136–137 and H. Con. Res. 125–128, were introduced. Page H15633

Report Filed: One report was filed as follows: H.R. 2814, to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal year 1996 (H. Rept. 104–443). Page H15632

Speaker Pro Tempore: Read a letter from the Speaker wherein he designates Representative Ewing to act as Speaker pro tempore for today. Page H15577

Journal: By a ye-a-and-nay vote of 280 yeas to 78 nays, Roll No. 880, the House approved the Journal of Thursday, December 21. Page H15581

House Rules: By a recorded vote of 259 yeas to 128 noes, with 2 voting "present", Roll No. 883, House agreed to H. Res. 299, to amend the Rules of the House regarding outside earned income. Pages H15581–H15600

Agreed to the Solomon amendment in the nature of a substitute made in order by the rule that bans advances on book royalties, but does not bring book royalties under the cap on outside earned income (agreed to by a ye-a-and-nay vote of 219 yeas to 174 nays, with 2 voting "present", Roll No. 882).

Pages H15594–99

H. Res. 322, the rule providing for the consideration of the resolution, was agreed to earlier by a ye-a-and-nay vote of 380 yeas to 11 nays, with 1 voting "present", Roll No. 881. Page H15593

ICC Elimination: House agreed to the conference report on H.R. 2539, to abolish the Interstate Commerce Commission, to amend title IV of title 49, United States Code, to reform economic regulation of Transportation—clearing the measure for the President.

Subsequently, agreed to S. Con. Res. 37, directing the Clerk of the House of Representatives to make technical changes in the enrollment of H.R. 2539—clearing the measure. Pages H15600–04

Privileges of the House: By a ye-a-and-nay vote of 214 yeas to 161 nays, Roll No. 884, agreed to the Burton of Indiana motion to table the Taylor of Mississippi appeal of the ruling of the Chair that H. Res. 321, directing that the Committee on Rules report a resolution providing for the consideration of H.R. 2530 (a bill to provide for deficit reduction and achieve a balanced budget by fiscal year 2002), did not constitute a question of the privileges of the House. Pages H15605–08

Further Continuing Appropriations: The House passed H.J. Res. 136, making further continuing appropriations for the fiscal year 1996. Pages H15608–16